

# EXHIBIT A

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11 Attorneys for Plaintiff  
SAP Aktiengesellschaft

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SAP AKTIENGESELLSCHAFT, a  
German corporation,

Case No. 4:07-cv-04187-SBA

18 Plaintiff,

**[PROPOSED] SECOND AMENDED  
COMPLAINT FOR PATENT  
INFRINGEMENT**

20 i2 TECHNOLOGIES, INC., a Delaware corporation

(JURY TRIAL DEMANDED)

**Defendant.**

24 Plaintiff SAP Aktiengesellschaft (“SAP”) for its First Amended Complaint against  
25 Defendant i2 Technologies, Inc. (“i2”) avers the following:

#### **NATURE OF THE ACTION**

27 1. This is a civil action for patent infringement of United States Patents Nos.

28 6,407,761 ("the '761 patent"), 6,750,766 ("the '766 patent"), and 7,222,369 ("the '369 patent")

1 (collectively, the "patents-in-suit"), brought pursuant to the patent laws of the United States, title  
 2 35 of the United States Code. Copies of these patents are attached hereto as Exhibits "A," "B,"  
 3 and "C."

4 **PARTIES**

5 2. Plaintiff SAP is a German corporation with its headquarters at Dietmar-Hopp-  
 6 Allee 16, 69190, Walldorf, Germany. SAP is the parent company of SAP America, Inc., which in  
 7 turn is the parent of SAP Labs, LLC, a subsidiary headquartered at 3475 Deer Creek Road, Palo  
 8 Alto, California.

9 3. On information and belief, Defendant i2 is a Delaware corporation with its  
 10 headquarters at 11701 Luna Road, Dallas, Texas 75234 and with offices at 1250 Oakmead  
 11 Parkway, Suite 210 Sunnyvale, California 94085.

12 **SUBJECT MATTER JURISDICTION**

13 4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C.  
 14 §§ 1331 and 1338. This is an action for patent infringement arising under the patent laws of the  
 15 United States, Title 35 of the United States Code.

16 **VENUE**

17 5. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400 in that  
 18 Defendant i2 has an established place of business and regularly conducts business in this judicial  
 19 district and a substantial part of the events giving rise to this action are occurring and have  
 20 occurred in this judicial district.

21 **FIRST CLAIM FOR RELIEF**  
 22 **(Infringement of the '761 Patent)**

23 6. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

24 7. On June 18, 2002, the United States Patent and Trademark Office duly and legally  
 25 issued the '761 patent, entitled "System and method for the visual customization of business  
 26 object interfaces," to Pong Ching, Martin Stein, and Larry Chiang. SAP is the owner, by valid  
 27 assignment, of all rights, title and interest in the '761 patent.

28 8. Defendant has been, and currently is, directly and indirectly infringing the

1 '761 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale,  
2 and/or inducing others to use products falling within the scope of one or more of the claims of the  
3 '761 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

4           9. As a direct and proximate consequence of Defendant's infringement of the  
5 '761 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an  
6 amount not yet determined for which SAP is entitled to relief.

**SECOND CLAIM FOR RELIEF**  
**(Infringement of the '766 patent)**

9           10. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

10        11. On June 15, 2004, the United States Patent and Trademark Office duly and legally  
11 issued the '766 patent, entitled "Alerts Monitor," to Ami Heitner, Avi Mishan, Irena Kull, and  
12 Ziv Holzman. SAP is the owner, by valid assignment, of all right, title and interest in the  
13 '766 patent.

14        12. Defendant has been, and currently is, directly and indirectly infringing the  
15 '766 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale,  
16 and/or inducing others to use products falling within the scope of one or more of the claims of the  
17 '766 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

18        13. As a direct and proximate consequence of Defendant's infringement of the  
19        '766 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an  
20        amount not yet determined for which SAP is entitled to relief

**THIRD CLAIM FOR RELIEF**  
(Infringement of the '369 Patent)

14. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

5       15. On May 22, 2007, the United States Patent and Trademark Office duly and legally  
6 issued the '369 patent, entitled "Role-based portal to a workplace system," to Matthias Vering,  
7 Peter Barth, Sven Schwerin-Wenzel, Thomas Anton, and Peter Bittner. SAP is the owner, by  
valid assignment, of all right, title and interest in the '369 patent.

1        16.      Defendant has been, and currently is, directly and indirectly infringing the  
2      '369 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale,  
3      and/or inducing others to use products falling within the scope of one or more of the claims of the  
4      '369 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

5        17. As a direct and proximate consequence of Defendant's infringement of the  
6 '369 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an  
7 amount not yet determined for which SAP is entitled to relief.

## **PRAYER FOR RELIEF**

**WHEREFORE**, SAP requests entry of judgment in its favor and against i2 as follows:

10 A. For entry of a judgment declaring that i2 has directly and/or indirectly infringed  
11 one or more claims of the '761 patent, the '766 patent, and the '369 patent;

12 B. For preliminary and permanent injunctive relief restraining and enjoining i2, and  
13 its officers, agents, servants, employees, attorneys, and those persons in active concert or  
14 participation with them who receive actual notice of the order by personal service or otherwise,  
15 from any further infringement of the '761 patent, the '766 patent, and the '369 patent;

16 C. For damages to compensate SAP for Defendant's infringement;  
17 D. For an award of pre-judgment and post-judgment interest and costs; and  
18 E. For such other and further relief as the Court may deem just and fair.

19 Dated: February 29, 2008

FENWICK & WEST LLP

By: /s/ Todd R. Gregorian

Attorneys for Plaintiff  
SAP Aktiengesellschaft

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**DEMAND FOR JURY TRIAL**

2 Plaintiff demands a trial by jury on all issues so triable raised herein.

3 Dated: February 29, 2008

4 FENWICK & WEST LLP

5 By: /s/ Todd R. Gregorian

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7 Attorneys for Plaintiff  
8 SAP Aktiengesellschaft

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FENWICK & WEST LLP  
ATTORNEYS AT LAW  
MOUNTAIN VIEW